

AMENDED IN ASSEMBLY APRIL 28, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2592

Introduced by Assembly Members Chesbro and Levine

February 21, 2014

An act to amend Section 19530 of, *and to add Section 19549.5 to*, the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2592, as amended, Chesbro. California Horse Racing Board: ~~racing dates~~; *fair horse racing calendar*; economic analysis.

Existing law, the Horse Racing Law, provides for the operation of live horse racing in this state and for wagering thereon, and for the operation of satellite wagering facilities, subject to regulation and oversight by the California Horse Racing Board. That law also requires the board to allocate racing weeks to ~~an applicant, to specify racing days, dates, and hours for horse racing meetings as will be in the public interest, and provides that the decision of the board is subject to change, limitation, or restriction only by the board~~ *a fair and to hold a public hearing and take testimony when making all determinations on the allocation of racing dates to a fair*.

This bill would require the board, when it receives a proposal ~~from an applicant~~ to make a substantial change, as defined, to the number of ~~racing dates allocated to a fair or racetrack, days a fair conducts races or to the weeks in the horse racing calendar allocated to that fair to conduct~~ *an a specified* economic analysis of the proposal's effect on ~~other those fairs and racetracks whose horse racing calendar would be~~

impacted and to consider all proposed alternative racing dates based on that economic analysis before the board votes on the proposal or any alternative option to the original proposal. *The bill would make other, nonsubstantive changes to the Horse Racing Law.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19530 of the Business and Professions
2 Code is amended to read:

3 19530. ~~(a)~~—The board shall have the authority to allocate racing
4 weeks to an applicant or applicants pursuant to the provisions of
5 this article and Article 6.5 (commencing with Section 19540) and
6 to specify those racing days, dates, and hours for horse racing
7 meetings as will be in the public interest, and will subserve the
8 purposes of this chapter. The decision of the board as to racing
9 days, dates, and hours shall be subject to change, limitation, or
10 restriction only by the board. A municipality or county shall not
11 adopt or enforce any ordinance or regulation that has or may have
12 the effect of directly or indirectly regulating, limiting, or restricting
13 the racing days and dates of horse racing meetings.

14 ~~(b) When the board receives a proposal from an applicant to~~
15 ~~make a substantial change to the number of racing dates allocated~~
16 ~~to a fair or racetrack, the board shall conduct an economic analysis~~
17 ~~of the proposal's effect on other fairs and racetracks and shall~~
18 ~~consider all proposed alternative racing dates based on that~~
19 ~~economic analysis before the board votes on the proposal or any~~
20 ~~alternative option to the original proposal.~~

21 ~~(c) As used in this section, "substantial change" means any race~~
22 ~~date change that changes the dates more than three days from the~~
23 ~~prior year's horse racing dates.~~

24 SEC. 2. Section 19549.5 is added to the Business and
25 Professions Code, to read:

26 19549.5. (a) *When the board considers a proposal to make a*
27 *substantial change to the number of days a fair conducts races or*
28 *to the weeks in the horse racing calendar allocated to that fair,*
29 *the board shall conduct an economic analysis of the proposal's*
30 *effect on those fairs whose horse racing calendar would be*

1 *impacted. The economic analysis shall include, but is not limited*
2 *to, all of the following:*

3 *(1) The financial loss or gain to each fair impacted by the*
4 *proposed fair horse racing calendar changes, including the impact*
5 *on fair admissions, concessions, and sponsorship.*

6 *(2) Jobs generated or lost due to the proposed fair horse racing*
7 *calendar changes.*

8 *(3) Availability of seasonable workers as a result of the fair*
9 *horse racing calendar changes.*

10 *(4) Impact on agricultural education programs, if applicable.*

11 *(5) Financial impact on the community at large due to the*
12 *changes to the fair horse racing calendar.*

13 *(b) The board shall consider all proposed alternative racing*
14 *dates based on that economic analysis before the board votes on*
15 *the proposal or any alternative option to the original proposal.*

16 *(c) As used in this section, “substantial change” means any*
17 *change within the fair horse racing calendar that changes the*
18 *allocation of racing dates to that fair by more than three days from*
19 *the prior year’s horse racing dates.*